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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91223510
Party	Defendant Acelero Learning Data and Technical Assistance, Inc.
Correspondence Address	JAVIER J. RAMOS MILBANK, TWEED, HADLEY & MCCLOY LLP 1850 K ST NW, STE 1100 WASHINGTON, DC 20006-2236 UNITED STATES jramos@milbank.com, rkoch@milbank.com
Submission	Request for Discovery Conference
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Date	01/19/2016
Attachments	02013 27319D-OPP - Request for Discovery Conference.pdf(35183 bytes )

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of:

Application Serial No. 86/257,568

For the Mark: SHINE INSIGHT

Published in the *Official Gazette (Trademarks)* on April 28, 2015

Opposition filed on August 26, 2015

SYMPPLICITY CORP.,	)	
	)	
Opposer,	)	
	)	
v.	)	Opposition No. 91223510
	)	
ACELERO LEARNING DATA AND	)	
TECHNICAL ASSISTANCE, INC.,	)	
	)	
Applicant.	)	

**REQUEST FOR DISCOVERY CONFERENCE**

Pursuant to 37 C.F.R. § 2.120(a)(2) and TBMP 401.01, named Applicant, Acelero Learning Data and Technical Assistance, Inc., respectfully requests the participation of Board Interlocutory Attorney, George Pologeorgis, in the discovery conference in the above-captioned opposition proceeding. Applicant's request is timely, as it is being filed 10 days before the deadline for holding the discovery conference. 37 C.F.R. § 2.120(a)(2) ("A Board Interlocutory Attorney or Administrative Trademark Judge will participate in the conference upon request of any party made after answer but no later than ten days prior to the deadline for the conference.").

Applicant wishes to conduct the discovery conference, over the telephone, as soon as possible. Counsel for Applicant attempted to schedule the discovery conference by calling counsel for Opposer by telephone on January 14, 2016, leaving a voicemail for counsel. Counsel for Applicant followed-up by email on January 15, 2015, requesting that a discovery conference

be held today, January 19, 2016. Again, on January 18, 2016, counsel for Applicant emailed counsel for Opposer with the same request. As of the time of filing this motion, Counsel for Applicant has received no response from Opposer's counsel.

In accordance with TBMP § 408.01(a), Applicant additionally requests assistance from Interlocutory Attorney in scheduling the mandatory discovery conference with Opposer. Following the guidance of TBMEP § 408.01(a), Applicant will call the Interlocutory Attorney tomorrow to discuss this matter in more detail.

WHEREFORE, Applicant requests that an Interlocutory Attorney assist in scheduling and participate in the discovery conference for the above-captioned proceeding.

Respectfully submitted,

Date: January 19, 2016

By: /Javier J. Ramos/

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**CERTIFICATE OF SERVICE**

I, Javier Ramos, do hereby certify that on January 20, 2016, I will cause a true and correct copy of APPLICANT'S REQUEST FOR DISCOVERY CONFERENCE to be served:

**By First Class Mail:**

Lora A. Moffat, Esq.  
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*Attorney for Opposer*

Pursuant to 28 U.S.C. § 1746, I certify under penalty of perjury that the foregoing is true and correct. Executed on January 19, 2016.

/Javier J. Ramos/  
Javier J. Ramos